

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

28201-28300

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 26, 1938]

28201. Adulteration of apples. U. S. v. 75 Bushels and 10 Bushels of Apples. Default decrees of condemnation and destruction. (F. & D. Nos. 40344, 40345. Sample Nos. 43981-C, 43982-C.)

This product was contaminated with lead.

On September 14, 1937, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 175 bushels of apples at Birmingham, Ala., alleging that the article had been shipped in interstate commerce on or about September 1, 1937, from Cornelia and Clarksville, Ga., by Mitchell Alexander and J. D. Mercer, partners trading as Alexander & Mercer, to themselves at Birmingham, Ala., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained lead, an added poisonous or deleterious substance, which might have rendered it injurious to health.

On October 25, 1937, no claimant having appeared, judgments of condemnation were entered and destruction of the property was ordered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28202. Adulteration of apples. U. S. v. 168 Boxes and 29 Boxes of Apples. Default decree of condemnation and destruction. (F. & D. Nos. 40373, 40374. Sample Nos. 37732-C, 37733-C, 37997-C.)

This product was contaminated with lead.

On September 15, 1937, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 197 boxes of apples at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 10, 12, and 13, 1937, from Freehold, N. J., by L. N. Applegate, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous ingredient, lead, which might have rendered it injurious to health.

On October 2, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28203. Adulteration of apples. U. S. v. 120 Bushels of Apples. Consent decree of condemnation and destruction. F. & D. No. 40376. Sample No. 56453-C.)

This product was contaminated with arsenic and lead.

On or about September 15, 1937, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 bushels of apples at Austin, Tex., alleging that the article had been shipped in interstate commerce on or about September 6, 1937, from Springdale, Ark., by Brown Produce Co., and charging adulteration in violation of the Food and Drugs Act.